



COUNCIL MINUTES

August 25, 2008

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on August 25, 2008 at 5:06 p.m.

COUNCIL PRESENT

Mayor Scott Smith
Alex Finter
Dina Higgins
Kyle Jones
Dennis Kavanaugh
Dave Richins
Scott Somers

COUNCIL ABSENT

None

OFFICERS PRESENT

Christopher Brady
Debbie Spinner
Linda Crocker

1. Review items on the agenda for the August 25, 2008 Regular Council meeting.

All of the items on the agenda were reviewed among Council and staff and the following was noted:

Conflicts of interest declared: None

Items removed from the consent agenda: None

Items deleted from the consent agenda: None

Items added to the consent agenda: None

2. Discuss and provide direction on the process to appoint a City Magistrate.

Mayor Smith stated that the Council was provided a packet of information from the Judicial Advisory Board regarding their recommendation of three candidates for the position of City Magistrate. He noted that the materials include DVDs, which contain the interviews of each individual conducted by the Boardmembers.

In response to a question from Mayor Smith, City Manager Christopher Brady explained that regarding the current appointment process of a City Magistrate, the Council may opt to consider the packet of information provided by the members of the Board and act on their

recommendation or, as an alternative, conduct further research and interview the three candidates to supplement the Board's interviews.

Mayor Smith requested input from the Council relative to this item.

Councilmember Higgins stated that in her opinion, the Judicial Advisory Board conducted a thorough review and interview process of the candidates and said she would be comfortable moving forward with the Board's recommendation.

Councilmember Somers commented that he would prefer that the Council have the opportunity to conduct brief interviews and interact with the three candidates that have been recommended by the Judicial Advisory Board.

Vice Mayor Jones expressed appreciation to the members of the Judicial Advisory Board for "narrowing down the field of candidates," but said that it would be advantageous for the Council to interview the three finalists.

City Attorney Debbie Spinner advised that per the Council's discretion, the interviews of the candidates could be conducted in Executive Session or in a public forum.

Councilmember Kavanaugh concurred with Vice Mayor Jones and Councilmember Somers that it would be helpful for the Council to interview the recommended candidates for City Magistrate. He also commended the members of the Judicial Advisory Board for their efforts and hard work in this regard.

Mayor Smith suggested that the Council conduct brief interviews of the three candidates and also formulate a series of questions similar to those posed by the members of the Judicial Advisory Board.

In response to a question from Councilmember Richins, Ms. Spinner clarified that the Open Meeting Law allows the Council to enter into Executive Session to discuss personnel issues, such as the hiring of a new employee. She stated that if the interviews were conducted in Executive Session, it would provide a more informal setting in which the Council could interact with the candidates.

Councilmember Richins stated that he would prefer to conduct the interviews in a public forum.

Councilmember Finter inquired if it would be appropriate for the Presiding City Magistrate to offer input to the Council regarding the appointment process.

Ms. Spinner responded that there is nothing in the City Code that would prohibit Presiding City Magistrate Matt Tafoya from providing input, but commented that from a practical standpoint, she is uncertain what his knowledge of the three candidates might be.

Mayor Smith noted that the process for selecting a City Magistrate is well defined in the City ordinances and stated that the members of the Judicial Advisory Board do not consult staff, including the Mesa Municipal Court, in their decision-making process. He suggested that instead of Presiding City Magistrate Tafoya commenting on the specific candidates, it might be more appropriate for him to briefly review the attributes of "an ideal judge," which the Council

could apply in their decision-making process. Mayor Smith added that he would probably lean toward conducting the interviews in Executive Session, but said the issue could be addressed further at a later time.

3. Acknowledge receipt of minutes of various boards and committees.

- a. Economic Development Advisory Board meeting held on June 3, 2008.
- b. Museum and Cultural Advisory Board meeting held on June 11, 2008.
- c. Transportation Advisory Board meeting held on June 17, 2008.

It was moved by Councilmember Somers, seconded by Vice Mayor Jones, that receipt of the above-listed minutes be acknowledged.

Carried unanimously.

4. Hear reports on meetings and/or conferences attended.

Councilmember Kavanaugh: The opening of the new "Dia de los Muertos" exhibit at the Museum for Youth.

Mayor Smith: 2008 League of Arizona Cities and Towns Annual Conference

5. Scheduling of meetings and general information.

City Manager Christopher Brady stated that the meeting schedule is as follows:

Thursday, August 28, 2008, 10:00 a.m. – Council Strategic Planning Workshop

Saturday, August 30, 2008, 8:00 a.m. – Council Strategic Planning Workshop

6. Adjournment.

Without objection, the Study Session adjourned at 5:41 p.m.

SCOTT SMITH, MAYOR

ATTEST:

LINDA CROCKER, CITY CLERK

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Study Session of the City Council of Mesa, Arizona, held on the 25th day of August 2008. I further certify that the meeting was duly called and held and that a quorum was present.

LINDA CROCKER, CITY CLERK

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